

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

---

IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE  
LITIGATION

---

)  
) MDL No. 1456  
)

THIS DOCUMENT RELATES TO  
01-CV-12257-PBS AND 01-CV-339

) Civil Action No. 01-CV-12257 PBS  
)  
) Judge Patti B. Saris  
) Chief Magistrate Judge Marianne B.  
Bowler

**DECLARATION OF STEVEN M. EDWARDS IN SUPPORT OF  
TRACK 1 DEFENDANTS' RENEWED MOTION TO STRIKE  
THE EXPERT TESTIMONY OF DR. RAYMOND HARTMAN**

STEVEN M. EDWARDS, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am a member of Hogan & Hartson L.L.P., attorneys for defendants Bristol-Myers Squibb Co., Oncology Therapeutics Network Corp. and Apothecon, Inc. ("BMS"). I make this declaration in support of Track 1 Defendants' Renewed Motion to Strike the Expert Testimony of Dr. Raymond Hartman. I have personal knowledge of the facts stated herein.

2. Attached hereto are true and correct copies of the following exhibits:

Exhibit 1	Excerpt of the deposition of Mike Beaderstadt (John Deere) taken on September 17, 2004
Exhibit 2	Excerpt of the deposition of Eric Cannon (IHC Health Plans) taken on September 13, 2004
Exhibit 3	Excerpt of the deposition of Kelly Ellston (Union Labor Life Ins. Co.) taken November 23, 2004
Exhibit 4	Excerpt of the deposition of Robert C. Farias (Harvard Pilgrim) taken on October 20, 2004
Exhibit 5	Excerpt of the deposition of Jill S. Herbold (Cigna) taken on January 14, 2005

Exhibit 6	Excerpt of the deposition of James T. Kenney (Harvard Pilgrim Health Care) taken on September 20, 2004
Exhibit 7	Excerpt of the deposition of John M. Killion (BCBS/MA) taken on January 6, 2006
Exhibit 8	Excerpt of the deposition of Edward Lemke (Humana) taken on January 11, 2005
Exhibit 9	Excerpt of the deposition of Reann Maxwell (University of Pittsburgh Medical Center Health Plan) taken on September 10, 2004
Exhibit 10	Excerpt of the deposition of Carol Sidwell (John Deere Health) taken on September 17, 2004
Exhibit 11	Excerpt of the deposition of Joe Spahn (Anthem Blue Cross/Blue Shield) taken November 30, 2004
Exhibit 12	Excerpt of the deposition of Scott Wert (Health Net Pharmaceuticals) taken on February 1, 2006

Dated: January 19, 2007

/s/ Steven M. Edwards  
Steven M. Edwards